IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 20TH FEBRUARY 2007 / 1ST PHALGUNA 1928

Bail Appl..No. 989 of 2007()

(CRIME NO.40 OF 2007 OF PALARIVATTOM POLICE STATION, ERNAKULAM)

PETITIONER/4TH ACCUSED:

THAMEEM.T.K., AGED 24 YEARS,
S/O.ABDUL KHADER.T.K., KUTTIKKATTU HOUSE,
CHALIKKAVATTOM, VENNALA P.O., KOCHI-28.

BY ADV. SRI.N.RATHEESH
SMT.SUMA RATHEESH

RESPONDENTS:

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1. THE STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

2. THE SUB INSPECTOR OF POLICE,
PALARIVATTOM POLICE STATION, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 20/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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BAIL APPLICATION NO.989 OF 2007

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DATED THIS THE 20th DAY OF FEBRUARY, 2007

O R D E R

Petitioner who is the 4th accused in Crime No.40/07 of Palarivattom Police Station for offences punishable under sections 143, 147, 148, 324, 427 and 308 IPC, seeks anticipatory bail.

2. Learned Public Prosecutor opposed the application submitting, inter alia, that on 25.1.2007 on which day a motor vehicle bandh was observed, the petitioner and others had pelted stones at a school bus at about 6.50 AM causing head injury to a 10 year old child and injury to a teacher besides causing damage to the rear glass screen of the school bus.

3. Anticipatory bail cannot be granted in a case of this nature. But at the same time, I am inclined to permit the petitioner to surrender before the Investigating Officer for interrogation and then to have his application for bail considered by the Magistrate expeditiously. Accordingly, the petitioner is directed to surrender before the Investigating Officer on any day between 23.2.2007 and 26.2.2007 for the purpose of interrogation. The petitioner shall thereafter be produced before the Magistrate concerned on the same day. The Magistrate shall consider and dispose of the application, if any, filed by the petitioner for regular bail, preferably on the same date on which it is filed.

This application is disposed of as above.

V.RAMKUMAR, JUDGE

dsn